

10 December 1954

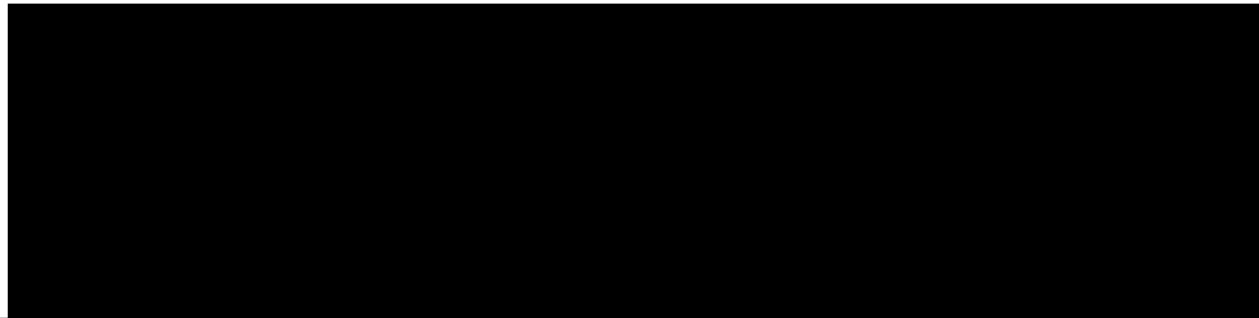
MEMORANDUM FOR: Deputy Director (Administration)

25X1A

SUBJECT : Proposed Revision of Figure 1 of CIA Regulation

1. The Security Office in the attached memorandum dated 4 December 1954 (Tab A) concerning the above subject has recommended that the Secrecy Agreement attached to that memorandum be submitted to the Director of Central Intelligence for approval. As you are aware, Mr. Dulles expressed in July of this year an interest in strengthening the Secrecy Agreement in that the existing version was limited to classified information. He desired at that time that employees entering on duty should agree not to disclose any information in consideration of their employment by CIA.

2. This office had worked with the Security Office on a draft, and finally on 31 August 1954, an agreed-on version was presented to the Director. That version was agreed to by you just prior to your departure for vacation. For your information, I have attached that draft with the changes subsequently made by the Director (Tab B). Most important of those changes was the fact that in paragraph 3 Mr. Dulles deleted reference to "unclassified" in the statement relating to disclosure of information and placed such prohibition solely in the field of classified information.



The words "responsibility not to disclose any information, classified or unclassified relating to the Agency" as used in the proposed Secrecy Agreement are broad and all encompassing, and in the opinion of this office, do not equate to "publicity" or "disclosure for written or oral publication." It is our further opinion that a judicial test of such a proposed condition of employment would result in a finding that it was void as being contrary to the public interest.

4. This office agrees with the Security Office that the Agency may impose reasonable limitations on the activities of its employees and that certainly any publications or public utterances should be approved by the Agency in furtherance of the statutory responsibility of the Director and consistent with the policy expressed in NSCID No. 12.

5. The Security Office points out that the proposed Secrecy Agreement was intentionally entitled "Agreement" to represent the contractual obligation of the employee with the Agency. Consequently, this office had deleted the indication that this agreement would be sworn to before a notary public since it did not partake of the nature of an oath.

6. In view of the above, I cannot concur in the recommendation of the Security Office that the version of the Secrecy Agreement attached to their memorandum be submitted to the Director for approval.

LAWRENCE R. HOUSTON
General Counsel

Att: Tabs A & B

OGC/JSW:mmm

2 - addressee

1 - OGC subject (Security 3) ✓

1 - Chrono

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ORIGINAL DOCUMENT MISSING PAGE(S):

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